

Appl. No. 09/322,708
Amdt. dated 08/04/2004
Reply to Office Action of April 5, 2004

REMARKS

This Amendment is in response to the Office Action mailed April 5, 2004. In the Office Action, the Examiner rejected claims 1-5 under 35 U.S.C. § 102, rejected claims 6-9 under 35 U.S.C. § 103, and allowed claims 10-37. Applicant has amended claims 1 and 6. Claims 1-37 remain pending in the application. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Rejection Under 35 U.S.C. § 102

4. The Examiner rejects claims 1-5 under 35 U.S.C. § 102(b) as being anticipated by Pitroda et al. (US 4,149,038).

Applicant has amended claim 1 to add the element that the "transferring the TDM stream from the logic circuit, along a plurality of components of the transmission system, and back to the logic circuit" is done --without transferring the plurality unused fields of the TDM stream to a network coupled to the transmission system--. Pitroda discloses a method and apparatus in which a TDM stream including test data is transferred through a plurality of components including a switching network. Applicant respectfully submits that the claim, as amended, is clearly distinguished from the disclosure of Pitroda.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 1-5 under 35 U.S.C. § 102(b) as being anticipated by Pitroda.

Rejection Under 35 U.S.C. § 103

7. The Examiner rejects claims 6-9 under 35 U.S.C. § 103(a) as being unpatentable over Pitroda et al. (US 4,149,038), in view of Hilton et al. (US 6,185,594).

Applicant has amended claim 6 to add the element that the "transferring the TDM stream along a plurality of components of the transmission system" is done --without transferring the plurality unused fields of the TDM stream to a network coupled to the transmission system--. Pitroda discloses a method and apparatus in which a TDM stream including test data is transferred through a plurality of components including a switching network. Applicant respectfully submits that the claim, as amended, is clearly distinguished from the teachings of Pitroda.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 6-9 under 35 U.S.C. § 103(a) as being unpatentable over Pitroda in view of Hilton.

Allowable Subject Matter

8. Applicant notes with appreciation the Examiner's allowance of claims 10-37.

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Conclusion

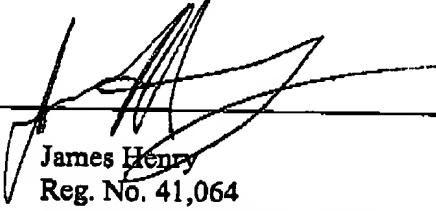
Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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Dated: 08/04/2004

By _____


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